



1637

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gerhard HARTWICH and Adam HELLER  
Serial no. : 09/856,543  
Filed : an effective filing date of November 19, 1999  
For : METHOD FOR THE ELECTROCHEMICAL  
DETECTION OF NUCLEIC ACID OLIGOMER  
HYBRIDS

Group Art Unit : 1637  
Examiner : Jezia RILEY  
Docket : PATKRI P01AUS

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE

Dear Sir:

This response is being filed in reply to the office action mailed December 30, 2003. In that action, the Examiner has required restriction under 35 U.S.C. 121 between the following groups of claims:

- I. Group 1 claims 29-37, 61-63 and 67-69 drawn to a nucleic acid oligomer modified by attaching a redox active substance, method of producing the same.
- II Group 2 claims 38-55, 70 and 72-83 drawn to a modified conductive surface, method of producing the same and method of using.
- III Group 3 claims 56-60, 64-66 and 71 drawn to method of producing a modified conductive surface comprising a nucleic acid modified by a redox active substance selectively oxidizable and reducible at a potential  $\phi$ .

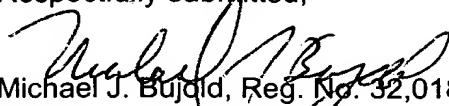
The Applicant provisionally elects the invention disclosed in Group III (claims 56-60, 64-66 and 71) and it is requested that, without further action thereon, claims 29-55, 61-63, 67-70 and 72-83 be retained in this application pending disposition of this case and for possible filing of a divisional application(s).



09/856,543

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

  
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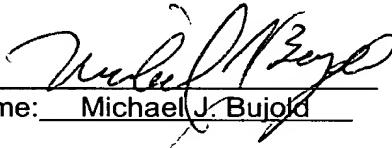
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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as First Class Mail in an envelope addressed to: Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. January 28, 2004.

By:   
Print Name: Michael J. Bujold